

## RESOLUTION NO. 70-12

**RESOLUTION ORDERING AND CALLING A SPECIAL BOND ELECTION TO BE HELD IN AND FOR THE TOWN OF BUCKEYE, ARIZONA, TO BE HELD IN CONJUNCTION WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2012, TO SUBMIT TO THE QUALIFIED ELECTORS THEREOF THE QUESTION OF AUTHORIZING THE ISSUANCE AND SALE OF WATER AND SEWER REVENUE BONDS OF THE TOWN.**

**WHEREAS**, the Mayor and Council of the Town of Buckeye, Arizona (the "*Town*"), believe it to be in the best interest of the Town to authorize the issuance and sale of water and sewer system revenue bonds of the Town (the "*Bonds*") to complete the purposes set forth in the question on the ballot; and

**WHEREAS**, it is necessary that the Mayor and Council submit the question concerning the issuance and sale of Bonds to the qualified electors of the Town;

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF BUCKEYE, ARIZONA:**

**Section 1. Order and Call of Election; Ballot.** A special bond election in the Town is hereby ordered and called to be held on November 6, 2012 in conjunction with the Statewide general election, to submit to the qualified electors of the Town the question as shown on form of ballot attached hereto and marked *Exhibit A*. The maximum amount of the Bonds authorized to be issued shall be \$28,500,000 as described on the attached *Exhibit A*. The Bonds shall be payable from and secured by the revenues of the Town's water and sewer system, bear interest not exceeding 9% per annum, and pay principal over not more than 30 years from the date issued. The Bonds may be refunded by the issuance of refunding bonds of a weighted average maturity of less than 75% of the weighted average maturity of the Bonds being refunded. The Bonds shall not be secured by a pledge of ad valorem taxes.

**Section 2. Publication.** This resolution ordering and calling the election shall be published in full at least once, not less than fifteen nor more than thirty days prior to the date of the election, in a newspaper published in the county and of general circulation in the municipality. The election will be held at polling places designated by the Maricopa County Elections Department and approved by the Town at a later date, but prior to the aforementioned publication deadline. The list of polling places approved by the Town (at a later date) shall be attached to and published with this resolution ordering and calling the election as an addendum.

**Section 3. Conduct of Election.** The election will be conducted and the poll lists kept, and the votes cast thereat shall be counted and tabulated and the returns thereof will be made in the manner provided by law and only persons will be allowed to vote at the election who are qualified electors of the Town.

**Section 4. Voting; Early Voting.** The polls will be open from 6:00 a.m. and will close at 7:00 p.m. on November 6, 2012. Early voting will be permitted at the election in accordance with the provisions of Title 16, Chapter 4, Article 8, Arizona Revised Statutes, as amended.

**Section 5. Voting Rights Act Submission.** In order to comply with the Voting Rights Act of 1965, as amended, the following proceedings pertaining to this election will be

translated into Spanish and posted, published and recorded in each instance where posting, publication and recording of such proceedings are required, to-wit: this Resolution, the ballot, all early voting material and all instructions at the polls.

**Section 6.**     **Conduct; Contracts.** The Clerk is hereby directed to cause ballots to be printed and delivered to the election boards to be furnished to the qualified electors offering to vote at the election. The Mayor, Town Manager or Clerk is authorized and directed to enter into an intergovernmental agreement with the Maricopa County Recorder and/or the Maricopa County Elections Department to conduct the election.

**Section 7.**     **Canvass.** The Mayor and Council will meet at the Council Chambers on a day that is within twenty days after the election date to canvass the returns of the election. The Mayor and Council will be governed by the vote of the majority on the question submitted.

**PASSED, ADOPTED AND APPROVED** by the Vice Mayor and Council of the Town of Buckeye, Arizona, on July 9, 2012.

\_\_\_\_\_  
Brian McCachran, Vice Mayor

ATTEST:

\_\_\_\_\_  
Lucinda J. Aja, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott W. Ruby, Bond Counsel

**CERTIFICATION**

I Lucinda Aja, the duly appointed and acting Town Clerk of the Town of Buckeye, Arizona, do hereby certify that the above and foregoing Resolution No. 70-12 was duly passed by the Town Council of the Town of Buckeye, Arizona, at a special meeting held on July 9, 2012, and the vote was \_\_\_\_ aye's and \_\_\_\_ nay's and that \_\_\_\_ Council Members were present thereat and the Mayor and \_\_\_\_ Council Members were absent.

\_\_\_\_\_  
Lucinda J. Aja, Town Clerk

**EXHIBIT A**

**FORM OF BALLOT QUESTION**

**WATER AND SEWER REVENUE BONDS**

Shall the Town of Buckeye, Arizona, be authorized to issue and sell \$28,500,000 water and sewer revenue bonds to provide funds to improve, extend and provide improvements for the Town's water and sewer system inside or outside the Town including treatment, pumping, storage, recharge, reclaiming and transmission facilities, buildings, equipment and other water properties of any kind, and pay costs thereof? The bonds shall be payable from and secured by the revenues of the Town's water and sewer system, bear interest not exceeding 9% per annum, and pay principal over not more than 30 years from the date issued. The water and sewer revenue bonds may be refunded by the issuance of refunding bonds of a weighted average maturity of less than 75% of the weighted average maturity of the bonds being refunded.

FOR THE BONDS	<input type="checkbox"/>
AGAINST THE BONDS	<input type="checkbox"/>

“Tag Line” language:

Shall Buckeye be authorized to issue and sell \$28,500,000 water and sewer revenue bonds to improve, extend and provide improvements for the Town's water and sewer system?

## ADDENDUM

### PRECINCT AND POLLING PLACE CHARTS

#### PRECINCT

<u>NO.</u>	<u>PRECINCT NAME</u>	<u>POLLING PLACE</u>	<u>ADDRESS</u>
		BUCKEYE UNION HIGH SCH	
0061	BUCKEYE	DIST OFFICE #201	1000 E NARRAMORE AVE, BUCKEYE, AZ 85326
0202	DURANGO	INCA SCHOOL	23601 W DURANGO ST, BUCKEYE, AZ 85326
		MT ZION CHRISTIAN ASSEMBLY	
0282	HASSAYAMPA	CHURCH	1421 S PALO VERDE RD, BUCKEYE, AZ 85326
0307	HOPEVILLE	BUCKEYE COMMUNITY CENTER	201 E CENTRE AVE, BUCKEYE, AZ 85326
0358	LIBERTY	LIBERTY SCHOOL/BUCKEYE	19818 W US HIGHWAY 85 , BUCKEYE, AZ 85326
	ORANGEWOOD		
0453	FARMS	LIFEWAY CHURCH	18926 W LATHAM ST, BUCKEYE, AZ 85326
0622	SUNDANCE	SUNCREST MHP 1	10955 N 79TH AVE, PEORIA, AZ 85345
0640	TARTESSO	TARTESSO SCHOOL	29677 W INDIANOLA AVE, BUCKEYE, AZ 85396
0662	TUTHILL	VERRADO MIDDLE SCHOOL	20880 W MAIN ST, BUCKEYE, AZ 85396
0664	VALENCIA	BUCKEYE COMMUNITY CENTER	201 E CENTRE AVE, BUCKEYE, AZ 85326
0686	WATSON	INCA SCHOOL	23601 W DURANGO ST, BUCKEYE, AZ 85326
0700	WHITE TANK	TARTESSO SCHOOL	29677 W INDIANOLA AVE, BUCKEYE, AZ 85396
		YOUNGKER HIGH SCHOOL/DIST	
0703	WHYMAN	201	3000 S APACHE RD, BUCKEYE, AZ 85326